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April 11, 2019

**VIA ECF**

The Honorable LaShann DeArcy Hall  
United States District Court for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: Elliott v. Donegan et al., 1:18-cv-05680 (LDH) (SJB)**

Dear Judge DeArcy Hall:

We represent Plaintiff, Stephen Elliott, in the above-referenced matter and respectfully submit this letter, pursuant to Your Honor's Individual Practice Rule I.E, requesting a one week extension of time to respond to Defendant Moira Donegan's ("Donegan") April 8, 2019, request for a pre-motion conference to file a motion to dismiss under Rule 12(b)(6) pursuant to Your Honor's Individual Practice Rule III.A (Document #29). Plaintiff intends to oppose said motion to dismiss. The time to respond would be extended to April 22, 2019.

The original response date is Monday, April 15, 2019. The undersigned is currently on trial with summations scheduled for early next week. The parties planned to conclude the trial today, however there have been unexpected delays this week. Plaintiff has made no previous requests for extensions of time to respond to Defendant Donegan's letter.

We spoke to opposing counsel, Ms. Roberta Kaplan, Esq., who has graciously consented to this request for the one-week extension. The extension of time does not affect any other scheduled dates. The undersigned further intends to contact Chambers to notify the Court of the instant request for adjournment, both this evening and first thing tomorrow morning.

Plaintiff thanks the Court, and opposing counsel, for the courtesy and consideration.

Very truly yours,  
**NESENOFF & MILTENBERG, LLP**

By: /s/ Nicholas E. Lewis  
Andrew T. Miltenberg, Esq.  
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